



Indiana Department of Revenue

Motor Carrier Services Division

Indiana Trucking Tips



December, 2002
Volume 6, Issue 4

Motor Carrier Calendar Notes

December 31, 2002

All 2002 International Fuel Tax and Motor Fuel Tax licenses and decals expire.

January 31, 2003

Fourth quarter Motor Carrier Fuel Tax (Form MCFT-101) and International Fuel Tax Agreement (IFTA-101) returns are due.

January 31, 2003

Claims for Proportional Use Credit (Form MCS 1789) are due.

State Holidays

Our offices will be closed on the following dates in observance of state holidays:

Christmas

Tuesday & Wednesday,
December 24 (Washington's Birthday)
& 25, 2002

New Year's Day

Wednesday, January 1, 2003

Martin Luther King, Jr. Day

Monday, January 20, 2003

Indiana Department of Revenue

Motor Carrier Services

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IFTA/Motor Fuel Tax Decals

2003 decals *may* be displayed on or after December 1, 2002, but copies of the 2002 *and* 2003 fuel tax licenses must also be in the vehicles. The 2003 decals *must* be displayed on and after January 1, 2003.

Gasoline Fuel Tax Rate Increase

Effective January 1, 2003 the State of Indiana will have a rate increase on gasoline tax. The rate will increase from \$.15 to \$.18 per gallon. This increase will be reflected on the first quarter 2003 fuel tax returns.

Proportional Use Credit Claims for Refunds

All Proportional Use Credit Certification Applications (Form PROP-1) must be submitted with the \$7.00 fee in order to be eligible to file claims for refunds. This is a one-time application, so if you are currently approved to file claims, you do not have to submit this application again.

International Registration Plan (IRP) Updates

Trish Smith has been promoted to IRP Supervisor and will work alongside Supervisor Royce Montgomery. We all congratulate Trish on her well-earned promotion.

The Indiana Commercial Vehicle Excise Tax has *decreased* slightly for the 2003 year. In 2002 it was .4397 percent. Now, in 2003 the percentage rate is .4286, a difference of .0111 percent.

All license plates that are not renewed must be returned with postmark dates on or before the 17th of their registration months.

Letters must accompany all refund requests, along with the license plates and cab cards. All refund requests must be postmarked on or before the 17th of the registration month.

Revised Commercial Driver's License (CDL) Program

The Federal Motor Carrier Safety Administration (FMCSA) revised its Commercial Driver's License (CDL) Program with an effective date of September 30, 2002. The following summary has a required enactment date by each state of September 30, 2005. You will receive early notification before Indiana implements this program.

The following was excerpted from the FMCSA's Fact Sheet. For more information, please visit its website at www.fmcsa.dot.gov/safetyprogs/CDLFactSheet.htm.

- Seven new provisions in the regulation address the following: disqualification for driving while suspended, disqualified, or causing a fatality; emergency disqualification of drivers posing an imminent hazard; expanded definition of serious traffic violations; extended driver record check; new notification requirements; masking prohibition; disqualification for violations obtained while driving a noncommercial motor vehicle (CMV).
- The Motor Carrier Safety Improvement Act of 1999 requires the agency to withhold Motor Carrier Safety Assistance Program grant funds from the states if they do not comply with the regulation.
- A new masking prohibition does not prevent a conviction from appearing on a driver's record and requires making conviction information available to authorized parties.
- Applicants for an initial CDL, and those transferring or renewing a CDL, must provide state driver licensing agency personnel with the name of all states where previously licensed for the past ten years to drive any type of motor vehicle, allowing state officials to obtain an applicant's complete driving record. The final rule limits this record check to CDL drivers initially renewing their license after the effective date of this rulemaking.
- States must maintain a CDL driver-history record noting an individual's convictions for state or local motor-vehicle traffic-control laws while operating any type of motor vehicle. Information on these convictions and other licensing actions must be kept a minimum of three years. Disqualifying offenses range from three years to life.
- The Federal Motor Carrier Safety Administration (FMCSA) may prohibit a state from issuing, renewing, transferring, or upgrading CDLs if the agency determined the state is in substantial noncompliance with the CDL licensing and sanctioning requirements.
- The new rule specifies applicants must pass both a knowledge and a skills test to obtain a new school-bus endorsement. The regulation requires the FMCSA to create a new endorsement CDL holders must obtain to operate a school bus.
- Under the new regulation, a driver may apply for a CDL from another state if the state he lives in was decertified and if the other state to which he applies elects to issue that license. States are authorized, but not required, to issue nonresident CDLs to such drivers.
- States with a school-bus-licensing program meeting or exceeding FMCSA requirements may continue to license school-bus drivers with that program. States have the option to not require applicants for the school-bus endorsement to take the skills test when the applicant has experience driving a school bus and meets safety criteria.
- A CDL disqualifying offenses section was revised to show driver violations for CDL holders and a CMV. The charts describe an offense and the ensuing penalty.
- The regulations add these serious traffic violations: driving a CMV without obtaining a CDL; driving a CMV without a CDL in the driver's possession; and driving a CMV without the proper CDL and/or endorsement. Driver disqualification can result if a driver is convicted two or more times within a three-year period.
- States must be connected to the CDLIS and the National Driver Register (NDR) to exchange information about CMV drivers and traffic convictions and disqualifications. A state must check CDLIS, NDR, and the current State of licensure before a CDL can be issued, renewed, upgraded, or transferred to make sure the driver is not disqualified or has a license from more than one state. Employers, including motor carriers, are authorized users of CDLIS data and, therefore, have access to an employees' or an applicants' driving record.
- New notification requirements necessitate that states inform CDLIS and the state issuing the CDL no later than 10 days after disqualifying, revoking, suspending, or canceling a CDL, or refusing to allow someone for at least 60 days to operate a CMV. Beginning three years after the final rule's effective date, notification of traffic-violation convictions must occur within 30 days of the conviction. Six years after the final rule's effective date, notification of traffic-violation convictions must occur within ten days of the conviction.
- States whose CDL program may fail to meet compliance requirements, but are making a "good-faith effort" to comply with the CDL requirements, are eligible to receive emergency CDL grants.
- The FMCSA decided to merge all the CDL provisions into one final rule with one effective date because they were so closely related to one another.

Questions? Contact Claudia Mellott at (317) 615-7210 or Carol Grubbs at (317) 615-7327.

